

Message Text

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QUOTE:

C O N F I D E N T I A L

SUBJECT: ANGLO-AMERICAN RESPONSIBILITIES ALONG THE FRG-GDR BORDER

(U)

A. DEPARTMENT OF STATE AIRGRAM 397, DATED 2, JUNE 1973.

1. (C) REF ADVISES THAT THE BRITISH HAVE BEGUN TO RECONSIDER THE
ROLE OF THEIR FRONTIER SERVICE IN PATROLLING THE INNER-GERMAN BORDER
AND REQUESTS VIEWS ON THE DERIVATION OF BORDER PATROLLING RESPONSI-
BILITIES AND THE RESIDUAL RESPONSIBILITY FOR INNER-GERMAN BORDER
PATROLLING ON THE BASIS OF QRR'S.

2. (C) THE FOLLOWING VIEWS ARE SUBMITTED:

A. THE RIGHTS AND RESPONSIBILITIES OF THE US, UK AND FRANCE ARE
CONTAINED IN THE RELATIONS CONVENTION WHICH IS STILL IN EFFECT.
THE RIGHTS AND RESPONSIBILITIES OF THE UNITED STATES CONCERNING THE
INNER-GERMAN AND GERMAN/CZECH BORDERS HAVE TRADITIONALLY BEEN CON-

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SIDERED AS PART OF THE PACKAGE OF RIGHTS AND RESPONSIBILITIES RELATING TO "GERMANY AS A WHOLE" WHICH THE US, UK AND FRANCE RESERVED WHEN THE OCCUPATION ENDED AND THE FRG ACQUIRED ITS SOVEREIGNTY IN 1955. UNLIKE RIGHTS RESERVED IN OTHER PARTS OF THE RELATIONS CONVENTION, THE RIGHTS RELATING TO "GERMANY AS A WHOLE" DID NOT LAPSE IN 1968 WHEN THE FRG ENACTED ITS EMERGENCY LEGISLATION. BASED UPON THE ABOVE, IT IS QUITE POSSIBLE TO CONCLUDE THAT THE US RESPONSIBILITY FOR PATROLLING THE INNER-GERMAN BORDER DERIVES FROM THE RIGHTS RESERVED IN THE RELATIONS CONVENTION RATHER THAN FROM MEMBERSHIP IN NATO. SINCE THE PRINCIPAL REASON THE THREE POWERS RESERVED THESE RIGHTS WAS TO PRESERVE CERTAIN RIGHTS AND OBLIGATIONS WHICH THE THREE POWERS HAD VIS-A-VIS THE USSR, IT IS POSSIBLE TO CONCLUDE FURTHER THAT THE INNER-GERMAN BORDER RESPONSIBILITIES OF THE US DERIVE MORE FROM THE QUADRIPARTITE RIGHTS AND RESPONSIBILITIES THAN FROM MEMBERSHIP IN NATO.

B. TO THE EXTENT THAT US RIGHTS AND RESPONSIBILITIES CONCERNING THE INNER-GERMAN BORDER DEPEND ON THE RELATIONS CONVENTION, THOSE RIGHTS AND RESPONSIBILITIES WILL CONTINUE AS LONG AS THE RELATIONS CONVENTION REMAINS IN EFFECT, UNLESS THE PARTIES TO THE CONVENTION AGREE OTHERWISE.

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3. (C) USAREUR'S RIGHTS OF ACCESS TO DEFECTORS/REFUGEES AND OUR RIGHTS TO MAINTAIN INTELLIGENCE OFFICES ALONG THE BORDER ARE BASED ON THE FACT THAT USAREUR SOLDIERS PATROL THE BORDER. THE LOSS OF THE LEGAL BASIS FOR OUR REPRESENTATION ON THE BORDER THROUGH THE WITHDRAWAL OF US TROOPS COULD WEAKEN OUR POSITION VIS-A-VIS THE GERMANS AND MIGHT CAUSE A REEXAMINATION AND RENEGOTIATION OF THE AGREEMENTS WHICH NOW PERMIT US INTELLIGENCE EXPLOITATION OF DEFECTOR/REFUGEE SOURCES IN GERMANY. ACCORDINGLY, WITHDRAWAL OF US PATROLS FROM ALONG THE FRG-GDR BORDER WOULD DEGRADE USAREUR'S INTELLIGENCE GATHERING CAPABILITY.

4. (C) THE FRG-GDR BORDER IS PATROLED BY THREE SQUADRONS OF THE 11TH CAVALRY REGIMENT (V CORPS) FROM THE VIC OF KASSEL TO THE VIC OF COBURG. THREE SQUADRONS OF THE 2D ACR PATROL THE FRG AND CZECH BORDERS FROM COBURG TO THE AUSTRIAN BORDER NEAR PASSAU. ;ITHDRA4AL
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OF US PRESENCE FROM THE FRG/GDR/CZECH BORDER WOULD INHIBIT USAREUR'S FLEXIBILITY TO REACT DURING CONTINGENCIES. ALTHOUGH WE MIGHT NOT CHOOSE TO REACT, OUR PHYSICAL PRESENCE ON THE BORDER AND THE THREAT OF A POSSIBLE US REACTION WOULD BE A MAJOR FACTOR FOR CONSIDERATION BY THE WARSAW PACT. CONTINUED US PRESENCE ALONG THE BORDER IS A MARKED DETERRENT TO WARSAW PACT AGGRESSION OR LIMITED PROBES ACROSS

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THE BORDER. THIS PRESENCE, AS THIN AS IT IS, WOULD IMMEDIATELY PLACE ANY WARSAW PACT INCURSIONS OR LIMITED PROBES INTO THE NATO/ INTERNATIONAL ARENA. ADDITIONALLY, BORDER OPERATIONS PROVIDE VALUABLE TRAINING AND EXPERIENCE TO MEMBERS OF USAREUR'S ARMORED CAVALRY REGIMENTS AND DIVISIONAL CAVALRY SQUADRONS.

5. (C) AT A TIME WHEN US INTENTIONS REGARDING RETENTION OF ITS TROOP PRESENCE IS UNDER ACTIVE QUESTIONING BY THE ALLIES, ESPECIALLY THE FRG, THE ELIMINATION OF THE LONG-ESTABLISHED BORDER SURVEILLANCE MISSION AND REMOVAL OF THESE CRACK CAVALRY TROOPS COULD INTRODUCE A FRESH MEASURE OF POLITICAL DESTABILIZATION. THE EMBASSY, OF COURSE, WOULD BE IN THE BEST POSITION TO ASSESS THE POLITICAL CONSEQUENCES, BUT WITHIN FRG DEFENSE CIRCLES, AND INsofar AS CENTAG IS CONCERNED, A STAND-DOWN WOULD BE INTERPRETED AS A MEASURE OF US MILITARY DISENGAGEMENT.

6. (C) IN SUMMARY, THE PROVISIONS OF THE RELATIONS CONVENTION PROVIDE THE USG WITH THE RIGHT TO CONTINUE PATROLLING THE FRG-GDR BORDER. CONTINUED PATROLLING OF THE FRG-GDR BORDER IS IN THE BEST INTEREST OF USAREUR. GDS 31 DEC 79.
UNQUOTE. HILLENBRAND

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